UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/690,392	10/20/2003	William C. Dodge	02-1253C-BOE96	3760

55132   7590   03/06/2007

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EXAMINER
HUTTON JR, WILLIAM D

ART UNIT	PAPER NUMBER
2176	

MAIL DATE	DELIVERY MODE
03/06/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

PTOL-90A (Rev. 10/06)

Advisory Action Before the Filing of an Appeal Brief	Application No.	Applicant(s)
	10/690,392	DODGE, WILLIAM C.
	Examiner	Art Unit
	Doug Hutton	2176

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED <u>21 February 2007</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☐ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

   a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.

   b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

      Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

<u>NOTICE OF APPEAL</u>

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

<u>AMENDMENTS</u>

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because

   (a)☐ They raise new issues that would require further consideration and/or search (see NOTE below);

   (b)☐ They raise the issue of new matter (see NOTE below);

   (c)☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

   (d)☐ They present additional claims without canceling a corresponding number of finally rejected claims.

      NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

   The status of the claim(s) is (or will be) as follows:

   Claim(s) allowed: _____.

   Claim(s) objected to: _____.

   Claim(s) rejected: _____.

   Claim(s) withdrawn from consideration: _____.

<u>AFFIDAVIT OR OTHER EVIDENCE</u>

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

<u>REQUEST FOR RECONSIDERATION/OTHER</u>

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: <u>See Continuation Sheet.</u>

12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.

13. ☐ Other: _____.

Doug Hutton
Primary Examiner,
Technology Center 2100

Continuation of 11. does NOT place the application in condition for allowance because:

Applicant argues that Microsoft Project 2000 Bible (hereinafter, "Marmel") fails to disclose "limiting the displaying of the one or more tasks outside of the selected set of data only to those one or more tasks associated with at least one of the plurality of tasks within the selected set of data" (see Claim 1, Lines 10-12) because, while Marmel discloses the linking of tasks outside of the selected set of data, it does not limit the displaying of the tasks outside of the selected set of data to those tasks that are associated with the tasks within the selected set of data. See Response -- Page 4, last paragraph.
The examiner disagrees.
Based on Applicant's remarks, It appears to the examiner that Applicant agrees that Marmel discloses linking "external" tasks (i.e., "tasks outside of the selected set of data" - see Claim 1, Line 5) to "internal" tasks (i.e., "tasks within a selected set of data" - see Claim 1, Line 3). Thus, as best understood by the examiner, the issue of contention is whether Marmel discloses, when a user selects a "selected set of data" (i.e., a project/subproject having "internal" tasks), limiting the display of "external" tasks to only those "external" tasks that are linked to the "internal" tasks of the selected project/subproject. This interpretation of Claim 1 is consistent with the examiner's interpretation set forth in the Final Rejection dated 12/21/2006 (see Page 5).
Marmel discloses the disputed limitation in Figures 17-11 (Page 467) and 17-12 (Page 468) and the associated text (Pages 466-468). In Figure 17-12, the user has selected "subproject1" (see Figure 17-11), and the "program management chart" displayed in Figure 17-12 displays all of the "internal" tasks of "subproject1" (e.g., determine budget, invitation list, send out invitations, theme, site - see Figures 17-11 and 17-12). In addition, the "program management chart" displayed in Figure 17-12 displays all "external" tasks linked to the "internal" tasks of "subproject1" (e.g., buy room decorations).
Marmel expressly discloses that, when the user links tasks between projects (i.e., linking "external" tasks to "internal" tasks), Project displays the linked "external" tasks when the "internal task" subproject file is opened. See Marmel - Page 467, first full paragraph. Accordingly, Marmel discloses "limiting the displaying of the one or more tasks outside of the selected set of data only to those one or more tasks associated with at least one of the plurality of tasks within the selected set of data," as recited in Claim 1.
Claim 12 recites a corresponding limitation (see Claim 12, Lines 12-14), and Marmel also discloses this limitation using the same rationale.

Regarding Applicant's exhibit and remarks concerning the figures of the exhibits, the examiner notes that the figures display only those projects/subprojects/tasks in a manner chosen by Applicant. Microsoft Project 2000 allows the user to links tasks between projects/subprojects and display project management charts in many different ways. Thus, the features contained within Microsoft Project 2000 are not limited to only those display methods illustrated in Applicant's exhibit.